

October 25, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #251

NAME: M. ANTHONY FERRARO

DOB: 10/31/1961


PERMIT: # TRAINER

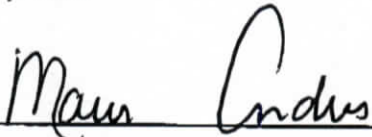
The Stewards hereby impose the following penalty:

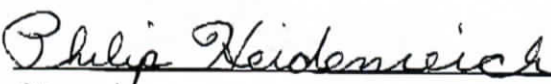
TRAINER M. ANTHONY FERRARO IS HEREBY FINED ONE HUNDRED (\$100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-26.3.g. "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered." FAILURE TO HAVE "SMART THINKING" PRESENT IN THE PADDOCK FOR THE 5TH RACE ON SUNDAY, OCTOBER 23, 2016 NECESSITATING A LATE SCRATCH.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$100.00


Chief Steward


Steward


Steward

October 26, 2016

**BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK
MULTIPLE MEDICATION VIOLATION RULING**

RULING # 252

NAME: BRANDON ATEs

DOB: 5/27/1978

PERMIT: # 20931 TRAINER

The Stewards hereby impose the following penalty:

HAVING WAIVED HIS RIGHT TO A HEARING THE BOARD OF STEWARDS FIND MR. ATEs IN VIOLATION OF WV RULE OF RACING 178-1-49.3.m, 178-1-39.3.m.1, 178-1-49.3.m.7.A, 178-1-49.3.m.7.B, 178-1-49.4.a.2 AND 178-1-51.1.a. THE OFFICIAL BLOOD AND URINE SAMPLE #E203476 TAKEN FROM THE HORSE "HARLAN'S DESTINY" WHICH FINISHED 1ST IN THE 8TH RACE ON SUNDAY, SEPTEMBER 4, 2016 DID CONTAIN TESTOSTERONE WHICH IS A CLASS 3 DRUG CARRYING A B PENALTY AT A CONCENTRATION LEVEL OF 105 pg/ml WHICH WAS CONFIRMED IN THE BLOOD. A SPLIT BLOOD SAMPLE WAS SENT TO PA. EQUINE TOXIOLOGY AND RESEARCH LABORATORY WHICH CONFIRMED THE PRESENCE OF TESTOSTERONE AT A CONCENTRATION LEVEL OF 101.8 pg/mg.

THE FOLLOWING IS THE STEWARDS' ANALYSIS OF THE MITIGATING/AGGRAVATING FACTORS IN THE MATTER:

A.) THE PERMIT HOLDER'S PAST RECORD.

MR. ATEs HAD A CLASS 4 POSITIVE (KETOPROFEN) ON SATURDAY, SEPTEMBER 3, 2016

B.) THE POTENTIAL OF THE DRUG TO INFLUENCE THE HORSE'S PERFORMANCE.

CLASS 3 DRUGS ALL HAVE THE POTENTIAL OF AFFECTING THE PERFORMANCE OF A RACEHORSE.

C.) THE LEGAL AVAILABILITY OF THE DRUG.

LEGALLY AVAILABLE

D.) WHETHER THERE IS REASON TO BELIEVE THE PERMIT HOLDER KNEW OF THE ADMINISTRATION OF INTENTIONALLY ADMINISTERED THE DRUG.

MR. ATEs DENIED KNOWLEDGE OF ADMINISTRATION OF THE DRUG.

E.) THE STEPS TAKEN BY THE TRAINER TO SAFEGUARD THE HORSE.

INFORMATION UNAVAILABLE

F.) THE PROBABILITY OF ENVIROMENTAL CONTAMINATION OR INADVERTENT EXPOSURE DUE TO HUMAN DRUG USE.

NO PROBABILITY

G.) THE PURSE MONEY

\$16,200.00

H.) WHETHER THE DRUG FOUND WAS ONE FOR WHICH THE HORSE WAS RECEIVING A TREATMENT AS DOCUMENTED BY THE TREATING VETERINARIAN'S TREATMENT RECORD.

MR. ATES DENIED KNOWLEDGE OF THE ADMINISTRATION OF THE DRUG.

I.) WHETHER THERE WAS ANY SUSPICIOUS BETTING PATTERN IN THE RACE.

NONE

J.) WHETHER THE TRAINER WAS ACTING UNDER THE ADVICE OF A VETERIANARIAN LICENSED TO PRACTICE IN WEST VIRGINIA AND HOLDING AN OCCUPATIONAL PERMIT BY THE RACING COMMISSION.

MR. ATES DENIED KNOWLEDGE OF THE ADMINISTRATION OF THE DRUG.

K.) OTHER FACTORS DEEMED RELEVANT BY THE STEWARDS

NONE

THE HORSE HARLAN'S DESTINY IS DISQUALIFIED FROM ALL PURSE MONIES AND IS TO BE REDISTRIBUTED AS FOLLOWS:

- 1) ABATARE**
- 2) ARSENIC AND LACE**
- 3) SUNRISE COUNTESSA**
- 4) ANOTHER LIKE YOU**
- 5) SHE'S GRUMPY**

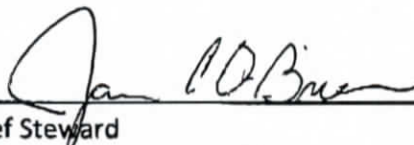
THE HORSEMEN'S BOOKKEEPER IS REQUESTED TO MAKE THE NECESSARY ADJUSTMENTS.

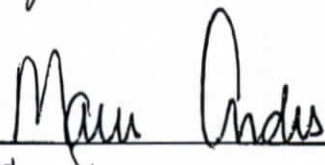
MR. ATES IS FINED FIVE HUNDRED (\$500.00) DOLLARS AND SUSPENDED 15 DAYS AND WILL BE SUSPENDED AN ADDITIONAL 30 DAYS UNDER THE MULTIPLE MEDICATION VIOLATION SYSTEM GIVING HIM A TOTAL OF A 45 DAY SUSPENSION STARTING TUESDAY, OCTOBER 25, 2016 THROUGH AND INCLUDING THURSDAY, DECEMBER 8, 2016.

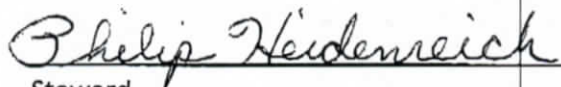
**THIS IS MR. ATES FIRST CLASS 3 MEDICATION VIOLATION BUT, HIS 2ND MEDICATION VIOLATION
WITHIN A 365 DAY PERIOD. MR. ATES HAD 1 POINT PRIOR TO THIS RULING AND IS ASSESSED
4 POINTS FOR THE VIOLATION GIVING HIM A TOTAL OF 5 POINTS.
WHILE SUSPENDED MR. ATES IS DENIED THE GROUNDS UNDER THE JURISDICTION OF THE WV
RACING COMMISSION.**

**All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing
178-1-8.5.N.**

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the
Commission Office within 20 days of your receipt of the ruling and must include a security fee in the
amount of \$100.00


Chief Steward


Steward


Steward

October 26, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK

RULING

RULING #253

NAME: DONALD BOYD

DOB: 11/23/1954

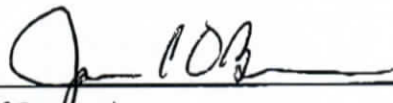
PERMIT: #23265 TRAINER

The Stewards hereby impose the following penalty:

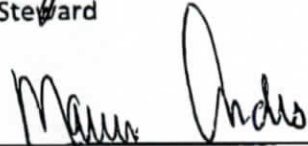
HAVING CONVENED A HEARING ON WEDNESDAY, OCTOBER 9, 2016 (VIA) PHONE AT 10:15 AM
THE MOUNTAINEER BOARD OF STEWARDS HEREBY FINE MR. BOYD TWO HUNDRED (\$200.00)
DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-24.11.gg "Has engaged in conduct
unbecoming or detrimental to the best interests of racing." URINATING IN PUBLIC ON ASSOCIATION
GROUNDS ON SUNDAY, SEPTEMBER 18, 2016.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing
178-1-8.5.N.

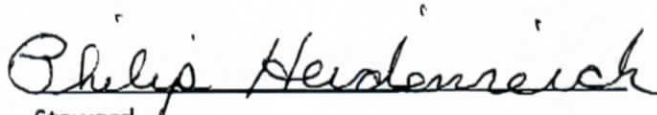
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the
Commission Office within 20 days of your receipt of the ruling and must include a security fee in the
amount of \$100.00



Chief Steward



Steward



Steward

October 31, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #254

NAME: SHAWN FAIRMAN

DOB: 6/24/1969


PERMIT: #21370 OWNER/TRAINER

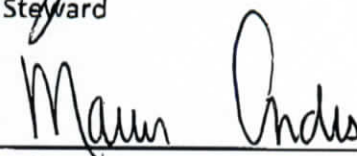
The Stewards hereby impose the following penalty:

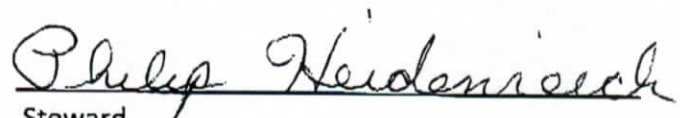
AFTER CONDUCTING A HEARING ON MONDAY, OCTOBER 31, 2016 IN CONCLUSION THE BOARD OF STEWARDS FIND: TRAINER SHAWN FAIRMAN IN VIOLATION OF WV RULE OF RACING 178-1-23.2.b.1 SMOKING ON ASSOCIATION GROUNDS BY BARN A ON SATURDAY, OCTOBER 16, 2016. MR. FAIRMAN IS HEREBY FINED ONE HUNDRED (\$100.00) DOLLARS. THIS IS MR. FAIRMAN'S FIRST OFFENSE.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$100.00


Chief Steward


Steward


Steward

October 31, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #255

NAME: TRACEY YOUNG

DOB: 9/11/1973

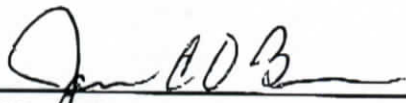
PERMIT: #23592 TRAINER


The Stewards hereby impose the following penalty:

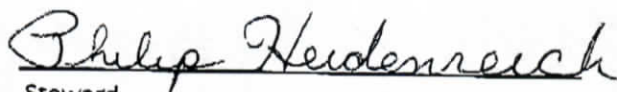
TRAINER TRACEY YOUNG IS HEREBY FINED ONE HUNDRED (\$100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-44.1. "A horse is ineligible to start in a race when its breed registration certificate is not on file with the association's racing secretary one-half (1/2) hour before post time for the first race." FAILURE TO HAVE REGISTRATION PAPERS FOR "FOURINTHEMORNING" FOR THE RUNNING OF THE 8TH RACE ON SUNDAY, OCTOBER 30, 2016.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$100.00


Chief Steward


Steward


Steward

October 31, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK

RULING

RULING #256

NAME: TRACEY YOUNG

DOB: 9/11/1973

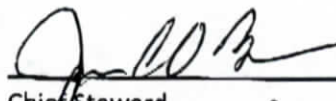
PERMIT: #23592 TRAINER

The Stewards hereby impose the following penalty:

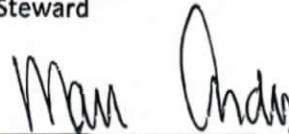
TRAINER TRACEY YOUNG IS HEREBY FINED ONE HUNDRED (\$100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-44.1. "A horse is ineligible to start in a race when its breed registration certificate is not on file with the association's racing secretary one-half (1/2) hour before post time for the first race." FAILURE TO HAVE REGISTRATION PAPERS FOR "SUCKER PUNCHED " FOR THE RUNNING OF THE 8TH RACE ON SUNDAY, OCTOBER 30, 2016.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$100.00



Chief Steward



Steward



Steward

October 31, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK

RULING

RULING #257

NAME: EDGAR PAUCAR

DOB: 2/14/1975

PERMIT: #20456 JOCKEY

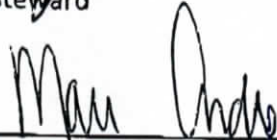
The Stewards hereby impose the following penalty:

JOCKEY EDGAR PAUCAR IS HEREBY FINED FIFTY (\$50.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-45.5.d. "Any overweight shall be declared by a jockey to the clerk of scales at the time appointed in advance of a race." FAILURE TO REPORT HIS CORRECT RIDING WEIGHT TO THE CLERK OF SCALES ON SATURDAY, OCTOBER 29, 2016. THIS IS HIS FIRST OFFENSE.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$100.00


Chief Steward


Steward


Steward

November 1, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK
MULTIPLE MEDICATION VIOLATION RULING

RULING # 258

NAME: RANDALL R. RUSSELL

DOB: 7/31/1957

PERMIT: # 21755 OWNER/TRAINER

The Stewards hereby impose the following penalty:

HAVING WAIVED HIS RIGHT TO A HEARING, THE BOARD OF STEWARDS FIND MR. RUSSELL IN VIOLATION OF WV RULE OF RACING 178-1-49.3.m, 178-1-49.3.m.1, 178-1-49.3.m.7.A, 178-1-49.3.m.7.B, 178-1-49.4.a.2, AND 178-1-51.1.a.

THE OFFICIAL BLOOD SAMPLE #E204746 TAKEN FROM THE HORSE SOLID FRIENDSHIP WHICH FINISHED 1ST IN THE 7TH RACE ON SATURDAY, OCTOBER 15, 2016 DID CONTAIN DEXAMETHASONE A CONTROLLED THERAPEUTIC MEDICATION WHICH IS A CLASS 4 DRUG CARRYING A C PENALTY AT A CONCENTRATION LEVEL OF 25.8 pg/ml. MR. RUSSELL ELECTED NOT TO SEND A SPLIT SAMPLE.

THE FOLLOWING IS THE STEWARDS' ANALYSIS OF THE MITIGATING/AGGRAVATING FACTORS IN THE MATTER:

A.) THE PERMIT HOLDER'S PAST RECORD.

THIS IS HIS FIRST VIOLATION

B.) THE POTENTIAL OF THE DRUG TO INFLUENCE THE HORSE'S PERFORMANCE.

CLASS 4 DRUGS GENERALLY HAVE A MORE LIMITED ABILITY TO INFLUENCE THE PERFORMANCE OF A RACEHORSE.

C.) THE LEGAL AVAILABILITY OF THE DRUG.

LEGALLY AVAILABLE

D.) WHETHER THERE IS REASON TO BELIEVE THE PERMIT HOLDER KNEW OF THE ADMINISTRATION OF INTENTIONALLY ADMINISTERED THE DRUG.

INFORMATION UNAVAILABLE

E.) THE STEPS TAKEN BY THE TRAINER TO SAFEGUARD THE HORSE.

INFORMATION UNAVAILABLE

F.) THE PROBABILITY OF ENVIROMENTAL CONTAMINATION OR INADVERTENT EXPOSURE DUE TO HUMAN DRUG USE.

NO PROBABILITY

G.) THE PURSE MONEY

\$6,300.00

H.) WHETHER THE DRUG FOUND WAS ONE FOR WHICH THE HORSE WAS RECEIVING A TREATMENT AS DOCUMENTED BY THE TREATING VETERINARIAN'S TREATMENT RECORD.

INFORMATION UNAVAILABLE

I.) WHETHER THERE WAS ANY SUSPICIOUS BETTING PATTERN IN THE RACE.

NONE

J.) WHETHER THE TRAINER WAS ACTING UNDER THE ADVICE OF A VETERIANARIAN LICENSED TO PRACTICE IN WEST VIRGINIA AND HOLDING AN OCCUPATIONAL PERMIT BY THE RACING COMMISSION.

INFORMATION UNAVAILABLE

K.) OTHER FACTORS DEEMED RELEVANT BY THE STEWARDS

NONE


MR. RUSSELL IS HEREBY FINED ONE THOUSAND (\$1,000.00) DOLLARS. THE HORSE SOLID FRIENDSHIP IS DISQUALIFIED FROM ALL PURSE MONIES AND IS TO BE REDISTRIBUTED AS FOLLOWS:

- 1) RUGGED CROSS
- 2) PUMPIDU
- 3) PASSIONFORWINNING
- 4) ASHBY LAND
- 5) LOADHERUPLETHERRIP
- 6) MOON OVER PARADOR
- 7) COMO LUZ
- 8) BIRDMUDIFUL


THE HORSEMEN'S BOOKKEEPER IS REQUESTED TO MAKE THE NECESSARY ADJUSTMENTS. THIS IS MR. RUSSELL'S FIRST OFFENSE AND HE IS ASSIGNED ONE (1) POINT UNDER THE MULTIPLE MEDICATION VIOLATION SYSTEM.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$100.00



Chief Steward



Steward



Steward

November 1, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK

RULING

RULING #260

NAME: LARRY RIVELLI

DOB: 1/15/1971

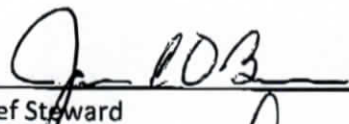
PERMIT: #21541 OWNER/TRAINER

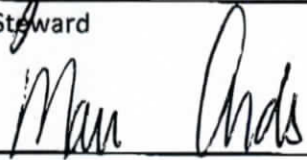
The Stewards hereby impose the following penalty:

TRAINER LARRY RIVELLI IS HEREBY FINED ONE HUNDRED (\$100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-26.3.g. "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered." FAILURE TO HAVE "RUMBLER" PRESENT IN THE PADDOCK FOR THE 9TH RACE ON TUESDAY, NOVEMBER 1, 2016 NECESSITATING A LATE SCRATCH.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$100.00


Chief Steward


Steward


Steward